

Miami-Dade County Department of Regulatory and Economic Resources
Construction Trades Qualifying Board Division “B”

Minutes of February 11th, 2014

The **Construction Trades Qualifying Board Division “B”** was called to order at **10:36 A.M.**, on **Tuesday, February 11th, 2014**, in the 2nd Floor Conference Rooms I/J of the Herbert S. Saffir Permitting and Inspection Center located at 11805 SW 26th Street (Coral Way), Miami, Florida 33175.

Members Present

Michael Affronte
Nestor Bustamante, P.A., **Chairman**
Irv Chazen
Arthur Fernandez
Calvin Samuels
Todd Stiff
Juan Zuniga

Members Excused

Barry Jordan
Lucio Rivero
Kenneth Scott, **Vice Chairman**
David Barry Yocum

Staff Present

Michael Mastrucci, Assistant County Attorney
Michael Goolsby, Board and Code Administration Division Director
Kathy Charles, Board Administrator
Shirley D. Brown, Contractor Licensing Section Supervisor
Daniel Vuelta, Contractor Enforcement Section Supervisor
Luis Y. Lopez, Recording Secretary

Court Reporter

Janice Aguirre, Miami Dade County Court Reporters, Inc.

Review and Approval of Minutes

The Chairman Nestor Bustamante requested a motion to approve the **minutes of the January 14th, 2013** Board meeting. A motion was made by Irv Chazen to **accept the minutes as written**. Arthur Fernandez seconded the motion. The **motion carried unanimously**.

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Formal Hearing

Buddha, Inc. d/b/a/ Buddha Flooring & Paint
Cuadra Guillermo Rene, Qualifying Agent
Finish Carpentry
Thirty Nine (39) Counts
Complainant: C. Chloe Keidaish
Investigator: Carlos Ollet

License # 03BS00194

Result: The Respondent and Staff were sworn in by the Court Reported at 10:40 A.M. Mr. Daniel Vuelta, Contractor Enforcement Section Supervisor, informed the Board that the County is withdrawing Counts XXXVI thru XXXIX. Mr. Bustamante inquired about Counts I thru XXXIV and whether they remained outstanding. Mr. Vuelta confirmed that Counts I thru XXXIV remain outstanding at this time.

Michael Mastrucci, Assistant County Attorney, provided the procedural structure of the Formal Hearing process, where upon Mr. Cuadra Guillermo Rene, Qualifying Agent, waived the reading of Counts I thru XXXV and pled “**Not Guilty.**” After the Respondent and Staff were sworn in, Chairman Nestor Bustamante read the Counts being charged to Mr. Cuadra Guillermo Rene and/or Buddha, Inc. d/b/a Buddha Flooring & Paint.

Mr. Carlos Ollet, Contractor Enforcement Investigator, informed the Board that during the investigation he noticed that the Qualifying Agent invoiced Skyline on Brickell Condo Association Inc. for electrical work which is out of the scope of work of his license. Mr. Ollet notified the Board that the invoices added up to \$153,000.00 dollars. Mr. Ollet spoke with Ms. Chloe Keidaish, Complainant, where he was able to match the invoices to the electrical work done in the condominium.

Mr. Richard Docobo, Qualifying Agent’s Attorney, clarified to the Board that Ms. Keidaish is the current president of the Association and she was not an officer of the Association when the procurement of the services occurred for the work done between May 2013 and December 2013. Mr. Docobo emphasized that Ms. Keidaish had no knowledge on how Mr. Cuadra procured the work and that an Invoice is not a contract. Mr. Franco and Ms. Repaci, past Association President and the previous Building Manager respectively, submitted affidavit clarifying that Mr. Cuadra did not solicit neither the electrical work nor the contract. Mr. Docobo notified the Board that Mr. Franco on his affidavit clarified that Skyline on Brickell Condo Association Inc. spent over One (1) million dollars on maintenance work. Which \$700,000.00 dollars was paid to Buddha Design, Inc. and \$153,000.00 dollars was for electrical work. Mr. Docobo clarified that the amounts spend on electrical work is less than 50% and it would not be a violation.

Chairman Nestor Bustamante clarified with Mr. Vuelta the order of the exhibits submitted by the County and at this time without any objection submitted them as evidenced. Mr. Docobo submitted Mr. Jaime Franco, Ms. Madalyn Repaci, Mr. Jorge Arancibia, and Mr. Angel Romero affidavits as evidence.

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As presented by Mr. Docobo, Mr. Jorge Arancibia informed the Board that he works for CPS Electric and is not the Qualifying Agent for the Company. He clarified that he performed the electrical work, that Mr. Cuadra did not solicit the contract, and that Mr. Cuadra was not part of the decision making in regards to pulling the permits for the electrical work being done at the condominium. Mr. Arancibia notified the Board that he did not have an Electrical Contractor License or a Journeyman License, but he has a University degree from his country and work under the Qualifying Agent of the company.

Several Board Members inquired on how did CPS Electric originally obtained the Contract with the Association and why was the electrical installation done without a permit. Mr. Arancibia informed the Board that he only replaced eighty (80) fixture lights in the garage. He indicated to the Board that they obtained a permit once they have to do a new line for an outlet.

Board Member Michael Affronte made references to the last sentences of the invoice and clarified that in his opinion a work order is a contract and that each invoice is considered a contract. Therefore, the electrical work done at the condominium is more than 50% of work done outside the scope of the Qualifying Agent's license.

Upon further discussion, the Board found the Respondent **Guilty** on Counts I-XXXV. Mr. Arthur Fernandez then **moved** that the Respondent's license shall be suspended immediately for one (1) year, pay a fine of \$285.72 dollars per count in the total amount of \$10,000.00 dollars, and pay administrative costs incurred in the amount of \$992.00 dollars payable to Miami-Dade County. Mr. Calvin Samuels seconded the motion. The **motion carried unanimously**.

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Reciprocity – Personal Certificate – West Palm Beach

---None---

Reciprocity – Business/Personal Certificate – West Palm Beach

---None---

Exam Applicants – Journeyman Burglar Alarm

---None---

Exam Applicants – Journeyman Fire Alarm

---None---

Exam Applicants – Journeyman Electrician

*The Board Reviewed and **approved** the following applications:*

Luis M. Gonzalez-Arias
Nelson Jadet Jamand
Joey Machado
Junior Matheu
William Roche

*The Board Reviewed and **denied** the following application:*

Servando E. Cartaya
Note: Applicant denied due to lack of trade experience.

Exam Applicants – Journeyman Sign Electrician

---None---

Exam Applicants – Maintenance Electrician

---None---

Exam Applicants – Master Burglar Alarm

---None---

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Exam Applicants – Master Electric Utility

---None---

Exam Applicants – Master Electrician

*The Board Reviewed and **approved** the following applications:*

Francisco Cruz
Julio A. Ojalvo
Joaquin A. Rabassa Jr.

*The Board Reviewed and **denied** the following application:*

Karim Bayzid

Note: Applicant denied due to not having a Dade County Journeyman’s License. However, the applicant is *approved* to take the Journeyman’s Exam.

Exam Applicants – Master Fire Alarm

---None---

Exam Applicants – Master Low Voltage

*The Board Reviewed and **approved** the following application:*

Ariel Sante

Exam Applicants – Master Sign Electrician

---None---

Exam Applicants – Master TV Antenna

---None---

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Mechanical Application/File Review

New Certification

*The Board Reviewed and **approved** the following applications:*

Jorge Montes Miami Dade Seaport Department
State Certified Class A – Air Conditioning Contractor

Howard Yu Stile Conveyors & Transmissions Inc.
Master Transporting Assembly Install

Note: Pending Business and Personal Credit Reports

Change of Affiliation

---None---

Inactive Status

---None---

Reciprocity – Personal Certificate Only – Broward County

*The Board Reviewed and **approved** the following applications:*

Oblavin Espino
Warren Leader
Nebon Marti

Reciprocity – Business/Personal Certificate – Broward County

---None---

Reciprocity – Personal Certificate Only – West Palm Beach

---None---

Reciprocity – Business/Personal Certificate – West Palm Beach

---None---

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Exam Applicants – Journeyman Air Conditioning

*The Board Reviewed and **approved** the following application:*

Luis Fernando Laverde

*The Board Reviewed and **denied** the following application:*

Randy Joubert

Note: Applicant denied due to lack of trade experience.

Exam Applicants – Journeyman General Mechanical

*The Board Reviewed and **denied** the following application:*

David P. Gallegos

Note: Applicant denied due to lack of trade experience.

Exam Applicants – Journeyman Pressure & Process Piping

---None---

Exam Applicants – Journeyman Refrigeration

---None---

Exam Applicants – Sheet Metal

---None---

Exam Applicants – Master Air Conditioning – Limited

---None---

Exam Applicants – Master Air Conditioning – Unlimited

---None---

Exam Applicants – Master Ammonia Refrigeration

---None---

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Exam Applicants – Master General Mechanical

*The Board Reviewed and **approved** the following application:*

Oscar Alvarez

*The Board Reviewed and **denied** the following application:*

Karim Bayzid

Note: Applicant denied due to not having a Dade County Journeyman’s License.

Exam Applicants – Master Room Air Conditioning

---None---

Exam Applicants – Master Refrigeration & Air Conditioning

---None---

Exam Applicants – Master Steam Generator Boiler & Piping

---None---

Exam Applicants – Master Transporting Assembly Install

---None---

Exam Applicants – Mechanical Maintenance

---None---

Plumbing Application/File Review

New Certification

*The Board Reviewed and **approved** the following application:*

Nicholas Robulock
State Certified Plumbing Contractor

Miami Dade County Internal Services Department

Change of Affiliation

---None---

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Inactive Status

---None---

Reciprocity – Personal Certificate Only – Broward County

---None---

Reciprocity – Business/Personal Certificate – Broward County

*The Board Reviewed and **approved** the following application:*

Ricky L. Lutz
Master Lawn Sprinkler

Exam Applicants – Journeyman Gas Fitter

---None---

Exam Applicants – Journeyman Plumber

---None---

Exam Applicants – Maintenance Plumber

*The Board Reviewed and **approved** the following application:*

Miguel Alvarez

Exam Applicants – Master Gas Fitter

---None---

Exam Applicants – Master Lawn Sprinkler

---None---

Exam Applicants – Master Plumber

*The Board Reviewed and **denied** the following application:*

Karim Bayzid

Note: Applicant denied due to not having a Dade County Journeyman’s License.

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Exam Applicants – Master Portable Chemical Toilets

---None---

Exam Applicants – Master Swimming Pool Maintenance – Limited

---None---

Exam Applicants – Master Swimming Pool Maintenance – Unlimited

---None---

Exam Applicants – Master Swimming Pool Piping

---None---

Report

---None---

Board Discussion

---None---

Continuing Education

Air Conditioning, Refrigeration & Pipefitting Education Center – D002

Two (2) **new** courses

Florida Statute 713 (Construction Lien Law) (1 hour) D002-043

Chapter 10 of the Code of Miami-Dade County (1 hour) D002-044

The above-mentioned Continuing Education applications were reviewed and **approved** by the Board.

Probable Cause Case

---None---

Board Information

The Board acknowledged the Miami-Dade County Examination Administration Report for January 1st, 2014 to January 31st, 2014.

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Mr. Nestor Bustamante then considered the appearances scheduled for today’s agenda.

Appearances

Electrical

Ernesto Correa, Jr. **Trade Experience**
Journeyman Electrician
Exam Applicant (Personal)

Result: Mr. Calvin Samuels informed the Board that Mr. Correa submitted additional information regarding his trade experience. Mr. Samuels then moved to **approve** Mr. Correa’s **Exam application** for the *Journeyman Electrician* Exam. Mr. Arthur Fernandez seconded the motion. The **motion carried unanimously**.

Chris Heywang **Personal Derogatory Credit Report**
Master Low Voltage
Reciprocity (Business & Personal) – Broward County
Dusk Till Dawn Landscape Lighting Inc.

Result: Mr. Samuels notified the Board that Mr. Heywang was previously denied due to having derogatory credit. Mr. Heywang was present and informed the Board that he is working with the debtor to set a payment plan. He notified that he can furnish some documentation and have it available for next CTQB meeting. Mr. Samuels then moved to **deny** at this time Mr. Heywang for **Reciprocity – Broward County** in the *Master Low Voltage* category. Mr. Arthur Fernandez seconded the motion. The **motion carried unanimously**.

Leonardo Lara **Trade Experience**
Master Electrician
Exam Applicant (Personal)

Result: Mr. Lara was present and informed the Board that he has eight (8) years in the electrical trade and he moved to Orlando to learn the trade from his Uncle. Mr. Lara notified the Board that he worked for Complete Wire. Mr. Samuels then moved to **deny** Mr. Lara **Exam application** for the *Master Electrician* Exam. However, Mr. Lara was **approved** to take the **Journeyman’s Exam** and if passed he can then take the Master Electrician Examination. Mr. Juan Zuniga seconded the motion. The **motion carried unanimously**.

Jose A. Morales-Figueredo **Trade Experience**
Master Electrician
Exam Applicant (Personal)

Result: Mr. Morales-Figueredo was present and notified the Board that on January 13th, 2013 he applied to take the Master Electrician Examination and was denied. However, the Board approved him to take the Journeyman’s Exam and then the Master’s if he passed as indicated in

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the letter presented. Mr. Samuels then moved to **approve** Mr. Morales-Figueroa **Exam application** for the **Master Electrician Exam**. Mr. Arthur Fernandez seconded the motion. The **motion carried unanimously**.

Mechanical

---None---

Plumbing

Jerry McCormick

Business Derogatory Credit Report

Master Lawn Sprinkler

Reciprocity (Business & Personal) – Broward County

Tropical Touch Gardens Center, Inc.

Note: Pending Personal Credit Report

Result: Mr. Todd Stiff informed the Board that Mr. McCormick had several tax liens against Tropical Touch Gardens Center, Inc. Mr. Stiff then moved to **deny** Mr. McCormick **Reciprocity – Broward County** application in the *Master Lawn Sprinkler* category. Mr. Arthur Fernandez seconded the motion. The **motion carried unanimously**.

Annual Election 2014 (Chairman and Vice-Chairman)

Mr. Calvin Samuels **moved** to appoint Mr. Nestor Bustamante as Chairman and Kenneth Scott as Vice-Chairman for the CTQB Division “B” Board. The **motion carried unanimously**.

There being no further business, the meeting adjourned at 12:36 P.M.